

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

ABELSON & TRUESDALE, LLC
STEVEN J. ABELSON, ESQ.
ID #SA 7987
80 West Main Street
P.O. Box 7005
Freehold, New Jersey 07728
(732) 462-4773
Attorney for Debtor

In Re:

ARMANDO CUNHA

ARMANDO CUNHA

Plaintiff

vs.

WELLS FARGO BANK, N.A.

Defendant.



Order Filed on April 18, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 19-16695

Adv. No.:

Hearing Date:

Judge: HON. KATHRYN C. FERGUSON

**ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION
SHOULD NOT BE ENTERED STAYING SHERIFF'S SALE**

The relief set forth on the following pages, numbered two (2) through (2) is hereby **ORDERED**.

DATED: April 18, 2019


Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

CAPTION OF ORDER: ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT BE ENTERED STAYING SHERIFF'S SALE

CASE NUMBER: 19-16695

ADV. NUMBER:

DATE OF HEARING:

JUDGE: HON. KATHRYN C. FERGUSON

This matter having been opened to the Court by Plaintiff, Armando Cunha upon the filing of a Complaint for injunctive relief to impose the Automatic Stay, and a duly verified Certification in Support of the Application for a Preliminary Injunction having been filed, and the Court having considered said proofs and having determined that it has jurisdiction over this action pursuant to 11 U.S.C. § 1334 and it appearing that there is a likelihood of ultimate success, the balance of hardship to the parties and the public interest and the risk of irreparable harm if relief is not entered and for good cause shown:

It is ORDERED AS FOLLOWS:

1) On May 1, 2019 at 9:00 in the a.m. at the United States Bankruptcy Court, 402 East State Street, Trenton, New Jersey 08608, in the Courtroom of the Honorable Christine M. Gravelle ~~Kathryn C. Ferguson~~, U.S.B.J., Defendants are to appear and show cause why this Court should not enter the preliminary injunction pursuant to Fed. Rule Bank. Proc. 7065:

a) Enjoining the Defendants from prosecuting and concluding the Sheriff's Sale on Debtor's Property located at 118 Veeder Lane, Bayville, New Jersey pending the conclusion of this adversary proceeding.

2) Answering and/or Responsive Certifications shall be filed and served upon the Plaintiff's Counsel on or before _____, 2019.

~~3) Pending the Return Date, Defendant be and is hereby TEMPORARILY RESTRAINED AND ENJOINED from proceeding with the Sheriff's Sale on Debtor's property at 118 Veeder Lane, Bayville,~~

~~New Jersey. The automatic stay per 11 U.S.C. § 362(a) is imposed pending further Order of this Court.~~

4) Service upon the Defendant of a copy of this Order, the Complaint, the Verified Certification in Support of Order to Show Cause shall be deemed sufficient if made by overnight delivery upon the Defendant and its Counsel of Record, if any.

5) Any party may apply for relief from this Order upon a showing of need upon three (3) days notice to all other parties.

6) Pursuant to Fed. R. Bankr. P. 7065 and Fed. R. Civ. P. 65(c) no security is required to be paid by the Plaintiff prior to the entry of or during the pendency of this Order.

7) OVERNIGHT SERVICE BY TOMORROW ON CHAPTER 13 TRUSTEE AND ALL THOSE BOUND BY THE STAY. OBJECTIONS AT THE HEARING. APPEARANCES REQUIRED.